

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

VIRGINIA CABLE)	
TELECOMMUNICATIONS)	
ASSOCIATION,)	
)	
Complainant,)	
)	
v.)	File No. PA 01-005
)	
VIRGINIA ELECTRIC & POWER)	
COMPANY, d/b/a DOMINION)	
VIRGINIA POWER AND DOMNION)	
NORTH CAROLINA POWER,)	
)	
Respondent.)	

ORDER

Adopted: November 4, 2003

Released: November 5, 2003

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On October 29, 2003, the complainant, Virginia Cable Telecommunications Association (“VCTA”), and the respondent, Virginia Electric & Power Company, d/b/a Dominion Virginia Power and Dominion North Carolina Power (“Dominion Virginia Power”), filed a Joint Motion to Dismiss¹ with prejudice the pole attachment Complaint and Request for Declaratory Ruling that VCTA filed against Dominion Virginia Power on October 16, 2001.² The Motion to Dismiss states that the parties “have entered into a Settlement Agreement, which resolves the outstanding pole attachment rate issues between the parties” raised in the Complaint.³

2. We are satisfied that dismissing the Complaint will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and this Commission.

¹ Joint Motion to Dismiss, File No. PA 01-005 (filed Oct. 29, 2003) (“Motion to Dismiss”).

² Complaint and Request for Declaratory Ruling, File No. PA 01-005 (filed Oct. 16, 2001) (“Complaint”).

³ Motion to Dismiss at 1.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 224, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the Joint Motion to Dismiss is GRANTED, and that the Complaint and Request for Declaratory Ruling is DISMISSED with prejudice.

4. IT IS FURTHER ORDERED that the above-captioned proceeding is TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Chief, Market Disputes Resolution Division
Enforcement Bureau